REMARKS/ARGUMENTS

The rejections presented in the Office Action dated December 5, 2006 (hereinafter Office Action) have been considered. Claims 1-18 remain pending in the application. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

Without acquiescing to characterizations of the asserted art, Applicant's claimed subject matter, or to the applications of the asserted art or combinations thereof to Applicant's claimed subject matter and in an effort to facilitate prosecution, Applicant has amended independent Claims 1, 10, 13, 16 and 18 to indicate that at least one of the electronic devices is a mobile device. Support for these changes may be found in the instant Specification, for example, at paragraph [0030]; therefore these changes do not introduce new matter. Each of the claims is believed to be patentable over the asserted reference for the reasons set forth below.

Applicant respectfully submits that each of Claims 1-18 is patentable over U.S. Patent No. 5,765,172 to Fox because Fox does not teach or suggest each of the claimed limitations. For example, Fox does not disclose that at least one of the first and second electronic devices is a mobile device. Rather, Fox is directed to databases in a digital cross-connect switching system. *See, e.g.*, Figure 1; column 1, lines 11-24; and column 3, lines 17-32. As each of the independent claims includes limitations as discussed above, Fox does not correspond to each of the independent claims. Without a presentation of correspondence to each of the claimed limitations, the §102(b) should not be maintained. Applicant respectfully requests that the rejection be withdrawn.

Dependent Claims 2-9, 11, 12, 14, 15, and 17 depend from independent Claims 1, 10, 13 and 16, respectively, and also stand rejected under 35 U.S.C. §102(b) as being anticipated by Fox. While Applicant does not acquiesce with the particular rejections to these dependent claims, these rejections are also improper for the reasons discussed above in connection with independent Claims 1, 10, 13 and 16. These dependent claims include all of the limitations of their respective base claims and any intervening claims, and recite

additional features which further distinguish these claims from the cited references. Therefore, the rejection of dependent Claims 2-9, 11, 12, 14, 15, and 17 is also improper.

With respect to the rejection of Claims 16 and 17 based on 35 U.S.C. §101, Applicant respectfully traverses. Applicant notes that when functional descriptive material is recorded on some computer-readable medium, it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized. MPEP §2106.01. The claims are directed to a computer-readable medium comprising computer-executable instructions; therefore, the computer-executable instructions are interrelated to the computer-readable medium in compliance with the requirements for statutory functional descriptive material. Applicant fails to recognize where the MPEP teaches that claims directed to a computer-readable medium require that the medium is being executed. Applicant accordingly submits that Claims 16 and 17 comply with the necessary requirements to be directed to statutory subject matter and requests that the rejection be withdrawn.

Authorization is given to charge Deposit Account No. 50-3581 (KOLS.082PA) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact her to discuss any issues related to this case.

Respectfully submitted,

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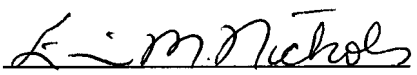
Date: May 4, 2007

By: 

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